

**Amendments to the Drawings:**

The attached replacement sheets of drawings include changes to the reference numbers for Figures 1a, 1b (Sheet 1/4) and Figure 6 (Sheet 4/4).

These replacement sheets, which include Figures 1a, 1b (Sheet 1/4) and Figure 6 (Sheet 4/4), replace the original sheets including Figures 1a, 1b (Sheet 1/4) and Figure 6 (Sheet 4/4). There are no changes to sheets 2/4 and 3/4.

In Figure 1a, reference numbers 22, 23 and 24 are deleted. In Figure 1b, reference numbers 38, 39, 51, 56, 57, 59, 68, 70 and 86 are deleted.

In Figure 6, reference number 1 was changed to 10.

Attachment: Replacement Sheets

## **REMARKS**

The Office Action dated August 22, 2006 has been received and carefully noted. The preceding amendments and the following remarks are submitted as a full and complete response thereto. Applicant has amended claim 1 to define the claimed invention more clearly and precisely. No new matter has been introduced. Support of the amendment of claim 1 can be found throughout the specification, for example, at lines 14-23 of page 5, and Figs. 3 and 4. Claims 2-4 have been revised solely for the purpose of formality and of making the claim language consistent throughout the claims. Applicant has added new claims 5-12 to specify the claimed invention further. Support of these new claims can be found throughout the specification, for example, at line 14 of page 5 to line 5 of page 6, and Figs 2, 3 and 4. No new matter has been introduced.

Applicant respectfully requests the entry of the amendment and favorable reconsideration of the application in view of the foregoing amendments and the remarks below.

### **Objections to the Drawings**

The Office has objected to the drawings because (1) Figs 1a and 1b include the reference characters not mentioned in the description; and (2) both the reference characters "10" and "1" are used to designate Nozzle in Figs 5 and 6. Applicant has addressed these objections by (1) deleting, from Figs 1a and 1b, the references characters not mentioned in the description; and (2) revising the reference character from "1" to "10" in Fig 6. Since Figs 1a and 1b are for

explaining the prior art, Applicant believes that the revision of the drawings would not change the scope of the claimed invention. For the revision (2), support can be found from lines 4-6 at page 7.

In view of these revision in the drawings, Applicant respectfully requests withdrawal of the objections to the drawings.

**Rejection of Claims 1-4 under 35 U.S.C. §103(a)**

The Office has rejected claims 1 – 4 as obvious over McNally, U.S. Patent No. 3,753,352 to McNally (“McNally”) in view of U.S. Patent No. 5,143,408 to Holtsmark (“Holtsmark”). Applicant respectfully traverses this rejection.

As an initial matter, Applicant wishes to draw the Office’s attention to the amended claim 1 which recites that an embossing<sup>1</sup> part formed on a peripheral surface of the said nozzle and throughout the length of said nozzle, such that air discharging passages are formed continuously along the length direction of the said nozzle.

McNally does not teach or suggest an embossing part formed throughout the length of said nozzle such that air discharging passages are formed continuously along the length direction of the nozzle. It appears that the Office considers a “ridges(18’ and 22”)” of the conduit disclosed in McNally provides structures that function the “embossing part” of the claimed invention. As shown in Figure 1, the ridge (18) and the ridge (20) are spaced apart along the length of the conduit. Therefore, the conduit disclosed in McNally cannot form air

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<sup>1</sup> Applicant notes that the term “embossing” in this application was meant to be “embossed” in view of the entire disclosure and the drawings.

discharging passages if the conduit is compressed by an external force at the space between the ridges (the space between 18 and 20) and thus, the air discharging passages formed by embossing parts of the ridges cannot be continuous along the length direction of the nozzle. There is no mention of maintaining air flow or of keeping the air discharge passages continuous along the length direction of the conduit. Rather, McNally specifically explained that the ridges are arranged in spaced apart groups. See col. 2, lines 51-57. McNally also describes that the conduit can be used as a "drainage conduit" by using the "ridges" to funnel liquid to the "openings" between the outside and the inside of the tubing. Therefore, one of ordinary skill in the art would not have been motivated to modify the conduit disclosed in McNally such that the "embossing part" can be formed throughout the length of the conduit to provide air discharging passages as claimed in claim 1.

Holtmark does not cure the deficiencies of McNally since it does not disclose an embossing part formed along the tube such that air discharging passages are formed continuously along the length direction of the said nozzle.

A *prima facie* case of obviousness cannot be established unless all of the claim elements are taught or suggested by the cited references. See *In re Royka*, 490 F.2d 981, 984-85 (CCPA 1974); see also *In re Glaug*, 283 F.3d 1335, 1341-42 (Fed. Cir. 2002); *In re Rijckaert*, 9 F.3d 1531, 1533 (Fed. Cir. 1993). Since neither McNally nor Holtmark, either alone or in combination, teaches or suggests all of the claim elements, there is no *prima facie* case of obviousness

established. Since claims 2-11 are dependent from claim 1, these claims would not have been obvious over the prior art references, alone or in combination, for the same reasons set forth with regard to claim 1. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection.

In view of the foregoing, it is submitted that the present application is now in condition for allowance. Reconsideration and allowance are earnestly requested. The Director is authorized to charge any fees or overpayment to Deposit Account No. 02-2135.

Respectfully submitted,

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